

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

FILED
2019 OCT 21 PM 2:48

CATHY S. GATSON, CLERK
KANAWHA COUNTY CIRCUIT COURT

STATE OF WEST VIRGINIA, ex rel.,

G. ISAAC SPONAUGLE, III
West Virginia citizen and taxpayer,

Petitioner,

v.

Civil Action No. 18-P-442
Charles E, King, Jr., Judge

JAMES CONLEY JUSTICE, II,
Governor of the State of West Virginia

ORDER

On this 21st day of August, 2019, came the Petitioner, G. Isaac Sponaugle, III, pro se, and the Respondent, James Conley Justice, Governor of the State of West Virginia, by counsel, George J. Terwilliger, III, Michael W. Carey and David R. Pogue, for a hearing on Respondent's Motion to Certify Questions and Stay Further Proceedings and Respondent's Motion for Entry of an Order Containing Findings of Fact and Conclusions of Law. Respondent indicated that the second motion was filed in the event the Court declined to grant the motion to certify questions.

The Court, after giving due and mature consideration to the pending motions, the responses thereto, the argument of counsel and the pertinent law is of the opinion to and does hereby **ORDER** the following:

1. Respondent's Motion to Certify Questions and Stay Further Proceedings is **DENIED** **IN PART** and **GRANTED IN PART**. Specifically, Respondent's Motion to Certify Questions is **DENIED** and Respondent's Motion to Stay Further Proceedings is **GRANTED** until further Order of this Court or the Supreme Court of Appeals of West Virginia.

2. Respondent's Motion for Entry of an Order Containing Findings of Fact and

Conclusions of Law is **GRANTED**. This Court will issue a separate Order that will contain findings of fact and conclusions of law in support of its July 17, 2019, Order which denied Respondent's motion to dismiss.

The Court does **FURTHER ORDER** that a certified copy of this Order be sent to all parties or counsel of record.

The Court notes the objection and exception of the party or parties aggrieved by this Order.

Entered this 21st day of October, 2019.



CHARLES E. KING, JR., JUDGE

STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, SS
I, CATHERINE GATSON, CLERK OF THE CIRCUIT COURT OF SAID COUNTY
AND IN SAID STATE, DO HEREBY CERTIFY THAT THE FOREGOING
IS A TRUE COPY FROM THE RECORDS OF SAID COURT
GIVEN UNDER MY HAND AND SEAL OF SAID COURT THIS 21
DAY OF OCTOBER, 2019.
Catherine Gatson, Clerk
CLERK OF THE CIRCUIT COURT, KANAWHA COUNTY, WEST VIRGINIA